IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)
WEDNESDAY, THE EIGHTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR
PRESENT
THE HON'BLE MR JUSTICE V.V.S.RAO
WRIT PETITION NO : 7752 of 2002

Between:

L.Narayan Reddy S/o.L.Pichi Reddy
Chennur Mandal Prajaparishad, Chennur (M)
Cuddapah District.

..... PETITIONER

AND

1 The District Collector,
Cuddapah.
2 The District Panchayat Officer, &Convenor, District Level Committee,
Cuddapah.
3 Chairman Zilla Parishad & Chairman District Level Committee,
Cuddapah.
4 A.C.Konda Reddy
C/o.Sawmil R.S.Road, Cuddapah(T).

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ/s. order or direction more particularly in the nature of Writ of Mandamus, declaring the impugned proceedings dated 15.04.2002 in R.O.C.No.3794/2001-A2(Pts) as illegal, arbitrary, without jurisdiction and violative of Article 21 of the Indian Constitution.

Counsel for the Petitioner:MR.B.VIJAYASEN REDDY

Counsel for the Respondent Nos.1 to 3: GP FOR PANCHAYAT RAJ & RURAL DEV.

Counsel for the Respondent No.4:MR. M.VIJAYA SARADHI REDDY

The Court made the following :

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO. 7752 OF 2002

ORDER:

Third respondent issued proceedings dt.15.4.2002 permitting the fourth respondent to lift the sand from the limits of Chennamukapally Gram Panchayat temporarily for a period of fifteen days from 16.4.2002 to 30.4.2002. It was made clear that the orders are strictly on temporary basis for a period of fifteen days only. The petitioner herein earlier filed Writ Petition No.716 of 2002 challenging the notification dt.31.12.2001 whereby and whereunder third respondent proposed to auction the right to quarry sand for a period of one year. This Court by order made in W.P.M.P.No.800 of 2002 in W.P.No.716 of 2002 stayed auctioning of right to quarry sand from the limits of Chennamukapally Gram Panchayat. Even when the said Writ Petition was pending, the impugned order was issued. The impugned order is assailed *inter alia* on the ground that it is issued only to the advantage of fourth respondent in violation of the order of this Court in W.P.M.P.No.800 of 2002 in W.P.No.716 of 2002.

This Court while admitting the Writ Petition on 23.4.2002 passed orders restraining the respondents from granting any further temporary permit. In that view of the matter, the cause of action does not survive.

The Writ Petition is accordingly dismissed as infructuous. No costs.

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(V.V.S.RAO, J)

8.9.2004

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To

1 The District Collector,
Cuddapah.
2 The District Panchayat Officer, &Convenor, District Level Committee,
Cuddapah.
3 Chairman, Zilla Parishad & Chairman District Level Committee,
Cuddapah.
4 2 CCs to G.P. for Panchayat Raj & Rural Development, High Court Bldgs., Hyderabad (OUT)
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